AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Fig. 7. This sheet, which includes a part of Fig. 7, replaces the original sheet including the corresponding part of Fig. 7. In block diagram 740 of Fig. 7, "Decrement" has been changed to --Lessen-- so that Fig. 7 is consistent with corresponding amendments made to the specification.

Attachment: Replacement Sheet(s)
Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Reconsideration and allowance of this application are respectfully requested. Currently, claims 1-31 are pending in this application.

Information Disclosure Statement (IDS):

An IDS was filed in the present application on March 21, 2005. The Office Action did not include a fully initialed Form PTO-1449 of that IDS. For the Examiner's convenience, Applicant has therefore attached another copy of the Form PTO-1449 of the March 21, 2005 IDS along with its corresponding postcard receipt. Applicant respectfully requests that the Examiner consider all of the references cited on the Form PTO-1449 and initial and return the Form PTO-1449 as an indication that all of the cited references have been considered.

Objection to the Specification and Claims:

The specification and claims were objected to because of various informalities. For example, the Office Action indicated that "the phrase 'the or each' needs to be replaced by 'each'." Applicant has editorially amended the specification and claim language to improve clarity. However, the above suggestion in the Office Action has not been explicitly accepted. In particular, the specification (see page 9, line 10 to page 10, line 32 and Fig. 3) may relate (but is not limited to) to a session description which conceivably contains details of only one media stream.

Applicant respectfully requests that the objection to the specification and claims be withdrawn.

Allowable Subject Matter:

Applicant notes with appreciation the indication that claims 4-15, 17-20, 23 and 26-29 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims have been maintained herein.

Rejection Under 35 U.S.C. §102:

Claims 1-3, 16, 21, 22, 24, 25, 30 and 31 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Smith et al (U.S. '732, hereinafter "Smith").[1] Applicant respectfully traverses this rejection.

For a reference to anticipate a claim, each element must be found, either expressly or under principles of inherency, in the reference. Each element of the claimed invention is not found in Smith. For example, Smith fails to disclose "parsing the session description to determine appropriate media application programs for processing at least one media stream of the session description, the session description including data relating to a quality of service policy; determining based on available resources whether participation in the media session is viable using the quality of service policy based on said data," as required by independent claim 1 and its dependents. Smith also fails to disclose "a communications manager for determining based on available resources whether the participation in the media session is viable using a quality of service policy

[1] As noted by the Office Action, the assignee of the Smith et al (U.S. '732) reference is British Telecommunications public limited company, which is also the recorded assignee of the present application.

based on quality of service data provided in said session description," as required by independent claim 16.

The Office Action (see, e.g., page 4, lines 5-10) apparently alleges that the response sent by an end user to a SD Tool in Smith discloses a session description. Applicant respectfully disagrees with this characterization even if this claimed term is given its broadest reasonable interpretation. As described, for example, on page 2, lines 7-17 of the specification, a session description conveys information about a media stream in a multicast media session and thus allows recipients of the session description to participate in the session. For example, a session description typically includes the session name and purpose, the time and date the session will be active, at least one component media stream of the session and information required to participate in the media stream (IP multicast address, port, media format).

In contrast, the end user's response in Smith merely conveys to the SD Tool which session a user has selected to join and cannot be said to be a session description even if this term is given its broadest reasonable interpretation. The end user has no control over the session description. Rather the SD Tool in Smith is responsible for sending a session announcement to the end user. The end user response therefore does not disclose a session description, let alone a session description including data relating to a quality of service policy. It is noted that the session announcement described in Smith also does not disclose any data relating to a quality of service policy, and rather only contains session parameters

like media types, formats, time(s) of session(s), session name and description, and type of session (see col. 11, line 60 - col. 12, line 6 of Smith).

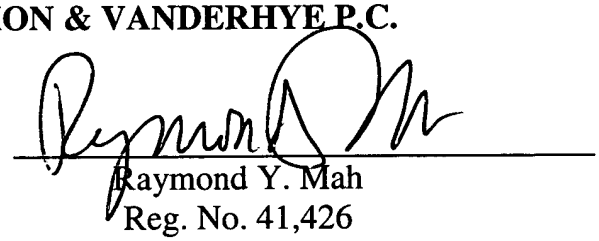
Accordingly, Applicant respectfully submits that claims 1-3, 16, 21, 22, 24, 25, 30 and 31 are not anticipated by Smith and respectfully requests that the rejection of these claims under 35 U.S.C. §102 be withdrawn.

Conclusion:

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

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C#/M#: 36-1445
Serial No.: 09/830,459 Atty: Raymond Y. Mah
Inventor/s: BELL et al Date: March 21, 2005
Title: ANNOUNCED SESSION CONTROL

☐ **Address Indication Form**

$180.00 Total Fee

Other: Information Disclosure Statement (IDS) and copies of cited references

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
BELL et al
Serial No. 09/830,459
Filed: April 27, 2001

Atty. Ref.: 36-1445
TC/A.U.: 2662
Examiner: Mered, H.

For: ANNOUNCED SESSION CONTROL

* * * * * * * * * * *

March 21, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on

the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

1. ☐ This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required. In the event, a first Office Action has been mailed prior to filing of the present Information Disclosure Statement, the Office is requested to treat the present paper s a submission under 37 C.F.R. § 1.97(c) and charge the undersigned's Deposit Account No. 14-1140 for the fee required by 37 C.F.R. § 1.17(p). The present paper is submitted in duplicate for this purpose.

2. ☒ This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

   a. ☐ I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

   b. ☐ I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

   c. ☒ Attached is our check in the amount of $180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

3. ☐ This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice

of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered. Attached is our Check No. in the amount of $ in payment of the fee under 37 C.F.R. § 1.17(i).

a. ☐ I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

b. ☐ I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

4. ☐ Relevance of the non-English language document(s) is discussed in the present specification.

5. ☐ The document(s) was/were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.

6. ☐ A concise explanation of the relevance of the non-English language document(s) appears below:

7. ☒ The Examiner's attention is directed to co-pending U.S. Patent Application Nos. 09/830,461, filed April 27, 2001, (copy attached) and 09/830,462, filed April 27, 2001, (copy attached) which are directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during examination.

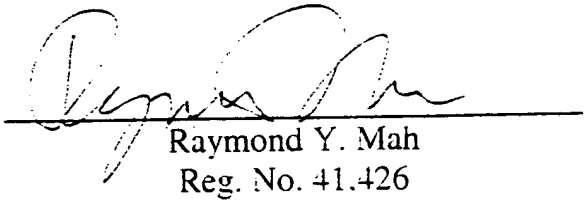
8. ☐ Copies of the documents were cited by or submitted to the Office in Application No. . filed . which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 14-1140 referencing docket number 36-1445.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

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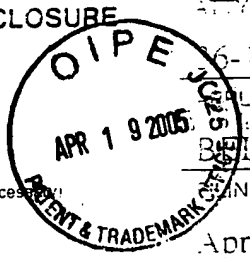
Sheet 1 of 1

INFORMATION DISCLOSURE CITATION



ATTY DOCKET NO.	SERIAL NO.
6-1445	09/830,459
APPLICANT	
BELL et al	
FILING DATE	TC/A.U.
April 27, 2001	2662

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,930,337	07/1999	MOHLER			
	6,396,513	05/2002	HELFMAN et al.			
	5,802,466	09/1998	GALLANT et al.			
	5,557,320	09/1996	KREBS			
	5,757,669	05/1998	CHRISTIE et al.			
	6,108,706	08/2000	BIRDWELL et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

	Avaro et al., "The AVIS Project: A Mixed Communication/Interactive/Broadcast Teleconferencing System", PROTOCOLS FOR MULTIMEDIA SYSTEMS – MULTIMEDIA N 1997, Proceedings, IEEE Conference, November, 1997, pages 37-43
	Liechti et al, "Structured Graph Forma:XML Metadata for Describing Web Site Structure", NL, North-Holland Publishing, Amsterdam, Vol. 30, No. 1-7, 1 April 1998, pages 11-21, XP004121444
	Handley et al., "SDP: Session Description Protocol", RFC2327, April 1998, pages 1-42, XP002101463, http://WWW.cis.ohio-state.edu/htbin/rfc/rfc2327.html
	International Search Report – PCT/GB99/03831 International Search Report – PCT/GB99/03871
	Laier et al., "Content-Based Multimedia Data Access in Internet Communication", found in a paper entitled: "Wireless Image/Video Communications, 1996., F. International Workshop, September 1996, pages 125-133
	Thomas Sikora, "The MPEG-4 Video Standard Verification Model", Feb. 1997, Circuits and Systems for Video Technology, IEEE, pages 19-31, Vol. 7, Issue 1

*Examiner | Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

Form PTO-FB-A820 (Also PTO-1449)

Fig.7.